



January 19, 2007

The Honorable Bill Thomas
Montana House of Representatives
PO Box 200400
Helena, MT 59620-0400

Re: Support for HB 332

Dear Representative Thomas:

The Motorcycle Industry Council (MIC) is a national not-for-profit trade association that represents over 300 manufacturers and distributors of motorcycles, scooters, motorcycle and ATV parts and accessories, and members involved in allied trades. Thank you very much for your sponsorship of HB 332, establishing a maximum noise level for off-road motorcycles and quadricycles operated on public lands. MIC strongly supports this legislation.

Unwanted and unnecessary noise from all sources has increasingly become a societal, environmental and quality of life matter and not just another annoyance to be tolerated. In the case of off-highway vehicles, newly manufactured off-highway motorcycles must meet, and newly manufactured ATVs voluntarily meet, U.S. Environmental Protection Agency federal noise standards and are extremely quiet. The problem is not with the vehicle as originally sold, but generally arises when the owner fails to properly maintain the exhaust system or improperly modifies the system so as to produce more noise and abusively operates the product at inappropriate times and in inappropriate places. The solution lies in states establishing reasonable noise regulation for in-use motorcycles and ATVs that incorporates widely recognized sound levels and test measuring procedures and then providing for its effective enforcement. HB 332 would do just that.

The Society of Automotive Engineers standard J1287 is a recommended test procedure for in-use enforcement. This procedure is intended to be a pass-fail test that will screen-out those motorcycles exceeding a predetermined sound level when measured at a distance of 20 inches from the exhaust outlet. The standard describes in detail the instrumentation and procedures to be followed to conduct the test. The recommended maximum permissible sound level using this 20" test for stationary off-highway motorcycles and ATVs is 96 dB (A) unless otherwise prescribed. HB 332 incorporates these provisions.

Periodic field enforcement actions are essential to determine if the motorcycle while being used is properly equipped and being operated in compliance with law and must be accomplished in accordance with prescribed sound testing procedures. The Motorcycle Industry Council publishes a comprehensive *Stationary Sound Test Manual for Off-Highway Motorcycles and All-Terrain Vehicles* that is available at no cost to government entities to aid in enforcement efforts.

Thank you again for your leadership on this important issue. We believe that this legislation, if enacted, will serve to make the outdoors more enjoyable for all those who recreate on the public lands in Montana.

Sincerely,



Kathy R. Van Kleeck
Sr. Vice President, Government Relations